United Nations A/62/114/Add.1

General Assembly

Distr.: General
17 September 2007

Original: English

Sixty-second session
Item 100 (q) of the provisional agenda*
General and complete disarmament

Transparency and confidence-building measures in outer space activities

Report of the Secretary-General

Addendum

Contents

		Page
II.	Replies received from Governments	2
	Austria	2
	Bangladesh	2
	Kenya	3
	Portugal (on behalf of the European Union)	5

* A/62/150.

07-50772 (E) 280907

II. Replies received from Governments

Austria

[Original: English]
[6 July 2007]

1. Austria believes that increased transparency and confidence are key prerequisites for the promotion of international cooperation and the prevention of an arms race in outer space.

2. Austria fully subscribes to the European Union's statement on the prevention of an arms race in outer space, which was delivered in the Conference on Disarmament on 13 February 2007. That statement suggested, among other elements, the establishment of "rules of behaviour" or "rules of the road" as possible confidence-building measures. Other elements might include the avoidance of collisions or interference and minimum distances between satellites placed in the same orbit. Avoidance of collisions and of dangerous manoeuvres as well as debris mitigation are other issues that might warrant further evaluation and discussion.

3. Additional measures could indicate pre-notification processes and pre-launch notifications.

4. In that regard, Austria attaches special importance to the Hague Code of Conduct against Ballistic Missile Proliferation and views its strengthening and universalization as an important step.

Bangladesh

[Original: English]
[30 June 2007]

1. Outer space is the common heritage of humankind, and transparency and confidence-building measures in this field can play a positive role in the peaceful uses of outer space and in regulating outer space activities. The scientific and technological capabilities of a number of countries have reached a level that enables them to implement military programmes in outer space. However, today's space activities confirm the importance of adapting a careful and responsible approach to space exploration. Failing to do so would not only intensify military rivalries but could also have unpredictable consequences for the world and for humanity. Bangladesh believes, therefore, that the following measures could help to promote transparency and build confidence among Member States in the area of outer space activities.

(a) The United Nations should establish a coordination committee on outer space activities. Such a committee could also have subcommittees at the regional or international levels. The committee should:

(i) Monitor the implementation of agreements in the field of outer space activities;

(ii) Determine which types of outer space activities are permissible and justified in the context of ensuring global security;

(iii) Ensure that the use of outer space is in conformity with international law and in the interests of maintaining global peace and security;

(iv) Monitor the outer space activities of Member States and ensure the safe disposal of expired objects;

(v) Provide for verification measures in connection with outer space activities;

(vi) Require Member States launching any outer space activities/programmes to notify it;

(vii) Report to the General Assembly in case of any violation of international law or agreements on outer space activities;

(b) Member States not involved in outer space activities should have security assurances and may be allowed to derive benefits from peaceful outer space activities and existing peaceful outer space programmes;

(c) The General Assembly should publish two reports every three months: one containing a record of the space programmes undertaken by various Member States during the previous three-month period and the other describing the space programmes or activities projected to take place in the next three months.

2. The Member States concerned should exercise greater caution and maintain greater transparency in the process of carrying out tests or experiments in outer space.

3. An arms race in outer space would pose a serious threat to international peace and security. The United Nations should therefore play a more effective role in curbing the arms race in outer space. Bangladesh is neither involved in the arms race nor has it any intention of weaponizing outer space. As such, Bangladesh fully supports the implementation of resolution 61/75.

Kenya

[Original: English]
[12 September 2007]

Committee on the Peaceful Uses of Outer Space

1. Kenya is an active member of the United Nations and is also a member of the Committee on the Peaceful Uses of Outer Space. The Committee is the primary forum for the development of laws and principles, codified in treaties and resolutions, governing outer space.

2. Kenya has also been a member of the International Atomic Energy Agency (IAEA) since 1965. The Agency serves as the world's foremost international governmental forum for scientific and technical cooperation in the peaceful use of nuclear science and technology.

Status of ratification of international agreements relating to activities in outer space

3. Among the five major conventions, Kenya has so far ratified and acceded to the following International United Nations agreements relating to activities in outer space:

(a) Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty) (ratified 1967);

(b) Convention on International Liability for Damage Caused by Space Objects (ratified 1972);

(c) Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (accession 1984).

4. Other agreements that Kenya has ratified, acceded to and signed include the following:

(a) Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (accession 1965);

(b) Agreement Relating to the International Telecommunications Satellite Organization (accession 1971 and definite signature 1977);

(c) Convention on the International Mobile Satellite Organization (accession 1976);

(d) Constitution and Convention of the International Telecommunication Union (accession 1992, ratified 1978 and 1985);

(e) Treaty on the non-Proliferation of Nuclear Weapons (accession 1970).

5. Efforts are being made to ensure that Kenya ratifies all treaties and agreements relating to activities in outer space and incorporates their provisions into its domestic legislation.

Conference-building measures

6. As a non-nuclear-weapon State, Kenya is committed to resolution 61/75. It seeks assurances against the use or threat of use of nuclear weapons and calls upon Member States to strengthen international peace and security.

Prevention of an arms race in outer space

7. Confidence-building measures are an important means of attaining the objective of the prevention of an arms race in outer space. Kenya, therefore, calls upon Member States to contribute actively to the achievement of the objective of the peaceful use of outer space and to refrain from actions contrary to that objective.

International outer space transparency

8. Kenya reaffirms the importance and urgency of preventing an arms race in outer space and the readiness of all Member States to contribute to that common objective, in conformity with the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other

Celestial Bodies. Kenya assures Member States that its launching site will give preliminary notifications of Space Launch Vehicles (SLV) launches and of their test flights.

Conclusions

9. The implementation of international outer space transparency and confidence-building measures would help to maintain international peace and security, promote international cooperation and prevent an arms race in outer space.

10. Those measures could also become a unifying factor for all Member States with respect to outer space and generate practical outputs that would promote a prudent and responsible approach to the exploration, exploitation and use of outer space for the benefit of humankind.

Portugal (on behalf of the European Union)

[Original: English]
[18 September 2007]

Concrete proposals by the European Union on international outer space transparency and confidence-building measures in the interest of maintaining international peace and security and promoting international cooperation and the prevention of an arms race in outer space

1. Introductory note

1. The prevention of an arms race in outer space is important for the strengthening of strategic stability and for the promotion of international cooperation in ensuring freedom of exploration and use of outer space for peaceful purposes for all States. The European Union continues to attach importance to this issue and remains firmly committed to the development and implementation of transparency and confidence-building measures as a means of strengthening security in the peaceful use of outer space. On that basis, the European Union voted unanimously in favour of resolution 61/75 on transparency and confidence-building measures in outer space activities. The broad support garnered by the resolution is a clear indication of the need to develop a regime encompassing such measures based, inter alia, on the following principles:

(a) Freedom for all to use outer space for peaceful purposes;

(b) Preservation of the security and integrity of space objects in orbit; and

(c) Due consideration for the legitimate security and defence interests of States.

2. In response to the request made in resolution 61/75 for concrete proposals, the European Union would like to submit the following in the interests of maintaining international peace and security and promoting international cooperation and the prevention of an arms race in outer space, pursuant to resolution 61/58.

3. The European Union attaches great importance to the relevant existing agreements and sees them as the basis on which we should build. The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, the 1968 Agreement on the Rescue of Astronauts, the 1972 Convention on International Liability for Damage Caused by Space Objects, the 1975 Convention on Registration of Objects Launched into Outer Space, the Comprehensive Nuclear-Test-Ban Treaty, the Hague Code of Conduct against Ballistic Missile Proliferation and the Principles Relevant to the Use of Nuclear Power Sources in Outer Space already provide for a variety of transparency and confidence-building measures in the field of outer space activities. On the basis of those agreements, certain spacefaring nations already voluntarily provide advance notice if there is reason to believe that their activities or experiments may interfere with and thereby harm the operation of another nation's space objects. In that connection, they share surveillance data to the maximum extent possible in order to improve safety. They also provide accurate and timely launch notification and registration. Lastly, they consult with others before taking any action that could prove harmful by interfering with space operations or space objects.

4. Those agreements go some way towards providing transparency and building confidence between space-capable and non-space-capable nations. However, not all spacefaring nations have adopted these transparency and confidence-building measures. The universalization and full implementation of all relevant agreements and treaties is therefore of the utmost importance.

5. The European Union also recognizes the relevant work carried out by the Committee on the Peaceful Uses of Outer Space. The recent agreement reached in the Committee on debris mitigation guidelines, based on the work of the Inter-Agency Space Debris Coordination Committee and on the 1999 Rex report on space debris (A/AC.105/720), was a useful development. The proposed Committee agenda item on the preservation of the space environment, which will include "rules of the road", for outer space, could also be an important step towards establishing best practices in space. The outcome of this work should be used as a basis for further transparency and confidence-building measures.

6. In the European context, a Code of Conduct for Space Debris Mitigation was concluded in 2004 and signed by the European Space Agency (ESA) and the other main European space agencies. That Code of Conduct is aimed at reducing the generation of debris in outer space which can damage space objects. The proposals contained in that document could be used to expand the Committee's debris-mitigation guidelines so as to enable wider agreement on them.

7. Furthermore, during the current year, the European Union adopted the European Space Policy, aimed at fostering better coordination among the European Union, ESA and Member States with respect to their activities and programmes, and at organizing their respective roles relating to space both in the civil and in the security and defence areas. Such improved coordination will make the activities of the European Union more visible and understandable to other nations and therefore lead to a better understanding of space policies. The European Union encourages other nations and regional groups to undertake similar activities.

8. The European Union would like to propose, in addition to existing arrangements, a comprehensive code of conduct on space objects and space

activities. Such a code of conduct would respond to the provisions of resolution 61/75 and contribute to filling the gaps that are developing in the existing framework as we expand and diversify our use of outer space, thereby creating greater coherence among existing regulations and practices. Thus it would be possible, through a single instrument, to strengthen existing agreements and codify new best practices.

2. General principles governing a code of conduct on space objects and space activities

9. The European Union believes that the general principles of such a comprehensive code of conduct could be, inter alia:

(a) A commitment to make progress towards adherence to and full implementation of the relevant existing treaties, codes of conduct and guidelines regarding the peaceful use of space;

(b) A commitment to prevent space from becoming an area of conflict;

(c) Recognition of the fact that satellites and the use of space in general are essential to the safeguarding of national security and strategic stability; and

(d) A commitment to resolve, by peaceful means and through the formulation of concrete proposals, any conflict created by actions in space, taking account of States' inherent right to self-defence under Article 51 of the Charter of the United Nations.

3. Scope of a code of conduct on space objects and space activities

10. The key activities to be covered under such a code of conduct could include, inter alia, the avoidance of collisions and deliberate explosions, the development of safer traffic-management practices, the provision of assurances through improved information exchanges, transparency and notification measures, and the adoption of more stringent space debris mitigation measures.

11. In the implementation of such a comprehensive code of conduct, States could abide by the following best practices:

(a) Refrain from any manoeuvre or action that could cause, directly or indirectly, damage to or the destruction of satellites or space objects, and refrain from activities in space that create space debris;

(b) Avoid accidents and collisions with other objects in space; create special areas of caution in space and around satellites, designated by their controlling States and deserving of specific consideration by others;

(c) Put in place consultation mechanisms for resolving expeditiously any incident that has given or might give rise to concern;

(d) Provide information, on an annual basis, on the number and type of satellites launched during the preceding year;

(e) Maintain a register in which the information furnished by notification is recorded so as to avoid duplication;

(f) Provide appropriate prior notification to the launching State of a satellite if another State plans to approach that satellite;

(g) Ensure that comprehensive information is provided by each launching State on its space assets and that it adheres to and fully implements the 1975 Registration Convention, giving information on eccentricity, inclination and orientation;

(h) Consider possible additional cooperative measures aimed at enhancing compliance.

12. The European Union recommends that the technical aspects of the proposals be addressed in further detail by the Committee where relevant and within the mandate of the Scientific and Technical Subcommittee under the agenda item on the preservation of the space environment, and in due time submitted to the Committee on Disarmament for consideration as transparency and confidence-building measures in the context of the prevention of an arms race in outer space. Consideration of the proposals by the Committee and the Committee on Disarmament, in accordance with their respective mandates, must be properly coordinated in order to prevent duplication.

4. Participation in a code of conduct on space objects and space activities

13. Like the European Code of Conduct for Space Debris Mitigation and the Hague Code of Conduct against Ballistic Missiles Proliferation, a code of conduct for outer space would be voluntary and open to all States, and would lay down the basic rules to be observed by spacefaring nations. Given the dual-use character of many space objects, the code should apply to all such objects.

14. The scope of such a code of conduct would obviously depend on the willingness to participate of all States that carry out activities in outer space.